

Serial No. 09/880,881

Docket No. 03856-4006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

OCT 15 2003

In re Reissue of Letters Patent 5,556,838

Applicant(s): **DAVID J. MAYER, et al.**

Group Art Unit: 1617

TECH CENTER 1600/2900

Serial No.: 09/880,881

Examiner: **CRIARES, Theodore J.**

Filed: 06/15/2001

For: **INHIBITING THE DEVELOPMENT OF TOLERANCE TO AND/OR
DEPENDENCE ON AN ADDICTIVE SUBSTANCE**

FILING OF DUPLICATE COPY OF PREVIOUS RESPONSE FILED MAY 5, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Examiner Theodore J. Criares

Sir:

This communication is being submitted by facsimile (703-746-6897) to the attention of
Examiner Criares.

Today, the undersigned conducted a telephone interview with Examiner Criares inquiring
about the status of the above-identified application. Mr. Criares informed the undersigned that
the papers filed by the applicant on May 5, 2003, were not in the PTO file of the application.
Instead, a paper captioned in a different application was present in the file. Examiner Criares
asked that the undersigned submit by facsimile to his attention a duplicate copy of the papers
filed on May 5, 2003.

Enclosed are true and accurate copies of the papers filed on May 5, 2003, which were
deposited with the United States Postal Service "Express Mail Post Office to Addressee" service.

- (1) Petition and Fee for Three (3)-Month Extension of Time;
- (2) Amendment Under 37 C.F.R. § 1.173(b) w/attachment A1 - A4;

791217 v1

Serial No. 09/880,881

- 2 -

Docket No 03856-4006

- (3) A check in the amount of \$930.00; and
- (4) A Verified Certificate of Express Mailing - Ev169419378 US
- (5) Return receipt card bearing PTO stamp of May 05, 2003.

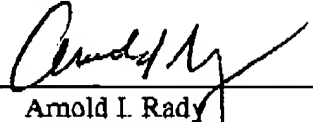
Applicants respectfully request an early and favorable consideration of these papers.

The Commissioner is hereby authorized to charge any additional fees which may be required for the timely consideration of this communication under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-4500, Order No. 3856-4006.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: August 27, 2003

By:


Arnold I. Rady
Registration No. 26,601

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
Telephone 212-415-8552
Facsimile(212) 751-6849

791217 v1

Docket No. 3856-4006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David J. MAYER et al.

Group Art Unit. 1617

Serial No.: 09/880,881

Examiner: CRIARES, Theodore J.

Filed: June 15, 2001

For: INHIBITING THE DEVELOPMENT OF TOLERANCE TO AND/OR
DEPENDENCE ON AN ADDICTIVE SUBSTANCE

EXPRESS MAIL CERTIFICATE

Mail Stop Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Express Mail Label No.: EV169419378US

Date of Deposit: May 5, 2003

RECEIVED
OCT 15 2003
TECH CENTER 1600/2900

I hereby certify that the following attached paper(s) and/or fee

1. Petition and Fee for Three (3)-Month Extension of Time;
2. Amendment Under 37 C.F.R. § 1.173(b);
3. A check in the amount of \$930.00; and
4. A return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Jafet N. Cono

(Typed or printed name of person mailing papers(s) and/or fee)


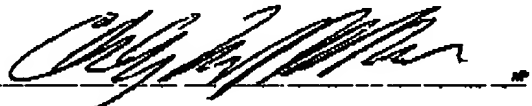

(Signature of person mailing paper(s) and/or fee)

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154-0053
(212) 758-4800 Telephone
(212) 751-6849 Facsimile

771362 v1

RECEIVED
OCT 15 2003
TECH CENTER 1600/2900

MORGAN & FINNEGAN, L.L.P. ATTORNEYS AT LAW 345 PARK AVE. NEW YORK, NY 10154		030298	1-8/210 260
DATE <u>5/5/03</u>			
PAY TO THE ORDER OF	COMMISSIONER OF PATENTS AND TRADEMARKS		\$ <u>938.00</u>
<u>5300</u>		DOLLARS	
CITIBANK CITIBANK, N.A. 155 EAST 53RD STREET SUITE NO. 2411 NEW YORK, NY 10043			
THE CITIBANK PRIVATE BANK			
FOR	<u>3856-4006</u>	<u>K Payne</u>	
⑈030298⑈ ⑆021000089⑆ 400 37254776⑈			

[Handwritten Signature]
RADY

RECEIVED
OCT 15 2003
TECH CENTER 1600/2900

Case No 3856-4006 Serial No. 09/880,881
Date Mailed May 5, 2003 ATTY AIR
Date Due in the Patent Office May 5, 2003

The return of this post card, properly stamped, will
acknowledge receipt in the Patent & Trademark Office
of the following:

- 1 Petition and Fee for Three (3)-Month Extension of Time.
- 2 Amendment Under 37 C.F.R. § 1.173(b); w/attachment A1-A4;
- 3 A check in the amount of \$930.00; and
- 4 A Verified Certificate of Express Mailing - Ev169419378US



6 -

MORGAN & FINNEGAN, L.L.P.

A Registered Limited Liability Partnership
 345 Park Avenue
 New York, NY 10154-0053
 Telephone: (212) 758-4800
 Facsimile: (212) 751-6849

FAX COVER SHEET

09/880,881

TO	COMPANY	FAX	PHONE
Examiner Theodore J. Criares	U.S. Patent and Trademark Office	703-746-6897	703-308-4607

FROM:	Arnold I. Rady, Esq.	DATE:	August 27, 2003
IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CALL:	(212) 415-8552	CLIENT/MATTER:	3856-4006
CONFIRM:	PAGES (INCLUDING COVER): 21		

COMMENTS:

Re: U.S. Serial No. 09/880,881

RECEIVED
 OCT 15 2003
 TECH CENTER 1600/2900

O.K. to enter
 Original papers
 filed 5/15/03
 JPC
 8/27/03

THE DOCUMENT(S) ACCOMPANYING THIS FACSIMILE TRANSMISSION CONTAINS INFORMATION FROM THE LAW FIRM OF MORGAN & FINNEGAN, L.L.P. WHICH IS CONFIDENTIAL AND/OR LEGALLY PRIVILEGED. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMISSION SHEET. IF YOU ARE NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISCLOSURE, COPYING, DISTRIBUTION OR THE TAKING OF ANY ACTION IN RELIANCE ON THE CONTENTS OF THIS FAXED INFORMATION IS STRICTLY PROHIBITED, AND THE DOCUMENT(S) SHOULD BE RETURNED TO THIS FIRM IMMEDIATELY. IF YOU HAVE RECEIVED THIS FACSIMILE IN ERROR, PLEASE NOTIFY US BY TELEPHONE IMMEDIATELY SO THAT WE CAN ARRANGE FOR THE RETURN OF THE ORIGINAL DOCUMENTS AT NO COST TO YOU.

791236 v1